



1.04 In the interim counsel for the Plaintiffs and the defendants have been discussing the allegations, the facts and the defendants proposed Motion to Dismiss. In the interest of judicial economy and based upon certain sworn representations, the Plaintiffs have agreed to amend the Complaint to reflect certain agreements to streamline the litigation without Court involvement, specifically:

1) the dropping of named defendants Charles Ahlem and James Ahlem, without prejudice and without the necessity of a motion by the Defendants; and

2) the dropping of the prior Count V. as it relates to Section 8 of the Clayton Act.

The counsel for the Defendants consent to said filing per our conference on October 19, 2015.

## **II.**

### **RELIEF SOUGHT**

2.01 Plaintiffs and with the Defendants consent in accord with F.R.C.P. 15(a)(2), file their Second Amended Complaint herewith prior to the Defendants' Answer.

WHEREFORE, premises considered, Plaintiffs herewith file their Second Amended Complaint with the Defendants consent.

Respectfully submitted,

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**ATTORNEY FOR PLAINTIFFS**

**CERTIFICATE OF SERVICE**

I hereby certify that on the 20<sup>th</sup> day of October, 2015, I electronically filed the foregoing document with the Clerk of the Court for the Northern District of Texas, by using the CM/ECF system which will send a notice of electronic filing to the following CM/ECF participant:

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